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**OFFICE OF PETITIONS**

In re Application of :  
Azriel et al. : DECISION ON PETITION  
Application No. 09/584,581 :  
Filed: 31 May, 2000 :  
Attorney Docket No. 2880 US :

This is a decision in reference to "PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE TO RECEIVE OFFICE ACTION (MPEP 711.03(c) II and 37 CFR § 1.181)" filed on 15 November, 2006.

The petition is **GRANTED**.

The application became abandoned on 24 September, 2006, for failure to timely file a response to the Notice of Allowance and Fee(s) Due mailed on 23 June, 2006, which set a three (3) month statutory period for reply. Notice of Abandonment was mailed on 30 October, 2006.

Petitioners assert that a Power of Attorney and Change of Correspondence Address was filed on 20 June, 2006, prior to the mailing of the Notice of Allowance, but that the Notice of Allowance was subsequently mailed to the previous address of record due to Office error.

A review of the official record reveals that a revocation and power of attorney and change of correspondence address was filed on 20 June, 2006. The power of attorney and change of correspondence address was not entered until 7 July, 2006, however, after the mailing of the Notice of Allowance. The Notice of Allowance, consequently, was not mailed to the address indicated in the power of attorney and change of correspondence address filed on 20 June, 2006.

As such, the showing of record is that the Office erred in mailing the Notice of Allowance and Fee(s) Due mailed on 23 June, 2006, to the previous address rather than the current correspondence address. As the error in mailing is due to an Office error, it is appropriate to remail the Notice of Allowance to the current correspondence address.

As such, there is no abandonment in fact. The holding of abandonment is withdrawn, and the Notice of Abandonment is vacated.

The Office apologizes for any inconvenience to petitioner.

The application is referred to the Technology Center Technical Support Staff for remailing of the Notice mailed on 23 June, 2006. The time period for reply to the Notice will be reset to run from the date the Notice is remailed.

Telephone inquiries concerning this matter may be directed to the undersigned at (571)272-3231.



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